

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: June 17, 2008
POSITION: Oppose

BILL NUMBER: SB 1690
AUTHOR: P. Wiggins

BILL SUMMARY: Dungeness Crab

Dungeness crab fishing is currently regulated in statute. This bill would authorize the Department of Fish and Game (DFG) and Ocean Protection Council (OPC) to develop long-term management rules for Dungeness crab fishing. The bill also authorizes the establishment of a Dungeness crab advisory body (Advisory Body) consisting of industry representatives to assist in the development of the management plan to be submitted to the Legislature or Fish and Game Commission (Commission) by October 15, 2010.

FISCAL SUMMARY

According to the OPC, its costs associated with the bill could be absorbed within existing resources. The DFG estimates costs between \$250,000 and \$1.5 million General Fund to develop a full Marine Life Management Act (MLMA) fisheries management plan. The DFG also estimates a need of \$750,000 General Fund and six wardens to enforce the regulations and management plan. The DFG has baseline MLMA funding for scientific research, the development of management plans, and enforcement. It is unclear to what extent existing MLMA funding could be used to develop and enforce the management plan. Funding decisions for MLMA are based on individual species need as determined by scientific analysis. Dungeness crab does not appear to be a high priority species.

SUMMARY OF CHANGES

Amendments to this bill since our analysis of the April 1, 2008 version do not alter our position. The bill has been amended to create a formal Advisory Body and now requires the DFG, in coordination with the OPC and the Advisory Body, to submit long-term management rules to the Legislature or Fish and Game Commission by October 15, 2010. The development of temporary regulations would not be authorized. However, we have changed our position to 'Oppose' because Dungeness crab does not appear to be a high priority species for MLMA implementation and baseline MLMA funding might not be available. Consequently, requiring the DFG to go through the MLMA process to develop a long-term management plan could result in significant General Fund costs.

COMMENTS

Finance opposes this bill because it could result in substantial General Fund costs.

This bill would require the DFG, in coordination with the OPC and Advisory Body, to submit a long-term management plan to the Legislature or Commission by October 15, 2010. The Advisory Body would consist of 19 members from ports in California who are licensed to engage in the commercial Dungeness crab fishery. To implement the bill, the OPC would be required to prioritize the development of rules, plans, or programs that address latent permits, effort limits in neighboring states, the implications of early season opening, research needs, and the need for a marketing council. The bill would authorize limitations on the number of traps utilized and restrict permit transfers based on crab landings between November 15, 2003 and July 15, 2008.

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Analyst/Principal (0634) M. Almy	Date	Program Budget Manager Karen Finn	Date
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Department Deputy Director	Date
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Governor's Office:	By:	Date:	Position Approved _____
			Position Disapproved _____

BILL ANALYSIS	Form DF-43 (Rev 03/95 Buff)
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BILL ANALYSIS/ENROLLED BILL REPORT--(CONTINUED)**Form DF-43****AUTHOR****AMENDMENT DATE****BILL NUMBER**

P. Wiggins

June 17, 2008

SB 1690

COMMENTS (continued)

Existing law restricts the Fish and Game Commission's authority regarding Dungeness crab fisheries because season open dates and the permit program are set in statute. The Governor vetoed similar past bills that set trap limits (AB 749, 2005, Leno) because they were arbitrary and not based on scientific research, public discussion, and consideration of alternatives. In his veto message, the Governor recommended legislation that would empower the Fish and Game Commission to regulate Dungeness crab fisheries instead of setting arbitrary trap limits. The bill appears to move in that direction.

Code/Department Agency or Revenue Type	SO	(Fiscal Impact by Fiscal Year)							
	LA	(Dollars in Thousands)							
	CO	PROP							Fund
	RV	98	FC	2008-2009	FC	2009-2010	FC	2010-2011	Code
3600/Dept FishGam	SO	No	-----	See Fiscal Summary				-----	0001